

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
FIFTY-EIGHTH LEGISLATURE

FIFTY-SEVENTH LEGISLATIVE DAY
MONDAY, MARCH 7, 2005

Senate Chamber

President Risch called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Williams, absent and formally excused by the Chair; and Senators Burkett, Coiner, Malepeai, Marley, McKenzie, Noble, Pearce, Richardson, Schroeder, and Stegner, absent and excused.

Prayer was offered by Chaplain Don Hardenbrook.

The Pledge of Allegiance was led by Crista Cardwell, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 4, 2005, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

Senators Coiner, McKenzie, and Stegner were recorded present at this order of business.

SJM 108

BY STATE AFFAIRS COMMITTEE

A JOINT MEMORIAL

TO THE FAMILY OF MORLEY NELSON RECOGNIZING HIS MANY ACCOMPLISHMENTS AND EXPRESSING CONDOLENCES ON THE OCCASION OF HIS DEATH.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, Morley Nelson was born on a ranch in North Dakota in 1916 and died on February 21, 2005, in Boise, Idaho; and

WHEREAS, Morley often recounted the experience when he saw his first falcon plummet from the sky and strike a duck his horse had flushed which began a lifelong fascination with raptors; and

WHEREAS, Morley served in World War II in the 10th Mountain Division of ski troopers and was awarded the Bronze Star, Purple Heart and the Silver Star; and

WHEREAS, Morley was instrumental in the enactment of a 1958 law in Idaho which protected birds of prey and the eventual enactment of federal law protecting birds of prey; and

WHEREAS, in a career which spanned 50 years, Morley Nelson's contributions to preserving raptors was nothing short of staggering, including personally raising and rehabilitating dozens of birds, working with Idaho Power to design safer power lines to prevent the deaths of thousands of birds by electrocution, lecturing, demonstrating and educating tirelessly, working to establish the Snake River Birds of Prey Natural Area and assure its realization, recruiting The Peregrine Fund's World Center for Birds of Prey to Boise, working on more than 30 films about raptors, including Disney films with wide public appeal; and

WHEREAS, Morley was widely recognized for his strength of character, boundless physical stamina and inexhaustible work ethic, contagious passion for the birds of prey he championed to great effect, integrity and individuality which set him apart from others, and zest for nature and the domain of raptors; and

WHEREAS, Morley Nelson was a very genuine and loving human being, husband and father, friend and colleague to all; and

WHEREAS, it is appropriate and fitting that the Idaho Legislature memorialize a man who was singular, unique and special in ways which cannot be captured in words, but which will not be forgotten in the legacy of the raptors he cherished.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-eighth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we recognize the great works and accomplishments of Morley Nelson and the changes he forged in the way people will think of eagles and hawks forevermore. We extend our sincere condolences to his family, while knowing that his memory will not fade, as he has carved for himself a special place in history.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the family of Morley Nelson.

SJM 108 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senators Pearce, Richardson, and Schroeder were recorded present at this order of business.

March 7, 2005

The JUDICIARY AND RULES Committee reports that **S 1175**, **S 1176**, **S 1177**, and **S 1178** have been correctly printed.

DARRINGTON, Chairman

S 1175, S 1176, S 1177, and S 1178 were referred to the Finance Committee.

March 4, 2005

The JUDICIARY AND RULES Committee reports that **S 1154**, as amended, **S 1086**, as amended, **S 1136**, as amended, **S 1130**, as amended, **S 1044**, as amended, and **S 1161**, as amended, have been correctly engrossed.

DARRINGTON, Chairman

S 1154, as amended, **S 1086**, as amended, **S 1136**, as amended, **S 1130**, as amended, **S 1044**, as amended, and **S 1161**, as amended, were filed for first reading.

March 4, 2005

The JUDICIARY AND RULES Committee reports that Senate amendments to **S 1154, S 1086, S 1136, H 50, S 1130, H 122, S 1044, and S 1161** have been correctly printed.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 4, 2005

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Esperanza Gerhardt to the Idaho Commission on Human Rights, term to expire July 1, 2007.

BURTENSHAW, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 4, 2005

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Craig Hill to the Lake Pend Oreille Basin Commission, term to expire July 24, 2007.

SCHROEDER, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 7, 2005

The FINANCE Committee reports out **S 1175, S 1176, S 1177, and S 1178** with the recommendation that they do pass.

CAMERON, Chairman

S 1175, S 1176, S 1177, and S 1178 were filed for second reading.

The Senate advanced to the Seventh Order of Business.

Reports of Special Committees

Senator Marley was recorded present at this order of business.

March 7, 2005

Senator Robert L. Geddes
President Pro Tempore
Idaho State Senate

Dear Mr. President Pro Tempore:

Pursuant to Senate Rule 53, the Ethics Committee you appointed at the request of Senator Jack Noble met on February 22 and 24 and March 2 and 4, 2005, and has issued its findings, conclusions, and recommendations to the Idaho Senate. A report of those findings, conclusions, and recommendations is enclosed.

Sincerely
/s/ Senator Brent Hill
Chairman, Ethics Committee

On request by Senator Davis, granted by unanimous consent, the report of the Ethics Committee was referred to the Tenth Order of Business and held for one legislative day. The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 4, 2005

Mr. President:

I transmit herewith **H 278, H 222, H 224, HCR 16, H 230, H 191, H 192, HCR 12, H 54, and H 231** which have passed the House.

JUKER, Chief Clerk

H 278, H 222, H 224, HCR 16, H 230, H 191, H 192, HCR 12, H 54, and H 231 were filed for first reading.

March 4, 2005

Mr. President:

I return herewith **S 1162** which has passed the House.

JUKER, Chief Clerk

S 1162 was referred to the Judiciary and Rules Committee for enrolling.

March 4, 2005

Mr. President:

I transmit herewith Enrolled **HJM 3** for the signature of the President.

JUKER, Chief Clerk

The President signed Enrolled **HJM 3** and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that **HCR 11**, having been held, was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator McGee, seconded by Senator Stennett, **HCR 11** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

Senator Noble was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the report of the Senate Ethics Committee was placed at the head of the calendar.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1179 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO MOTORCYCLES; AMENDING SECTION 33-4904, IDAHO CODE, TO PROVIDE THAT SIX DOLLARS OF EACH ANNUAL REGISTRATION FEE FOR A MOTORCYCLE SHALL BE CREDITED TO THE MOTORCYCLE SAFETY PROGRAM FUND; AMENDING SECTION 49-401A, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 49-402, IDAHO CODE, TO INCREASE THE REGISTRATION FEE FOR MOTORCYCLES FROM NINE DOLLARS TO FIFTEEN DOLLARS AND TO PROVIDE FOR DEPOSIT OF THE INCREASE TO THE MOTORCYCLE SAFETY PROGRAM FUND; AND AMENDING SECTIONS 49-402B, 49-418D AND 49-431, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1180 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO SPECIAL MOTOR VEHICLE LICENSE PLATES; AMENDING SECTION 49-420A, IDAHO CODE, TO EXTEND THE FINAL DATE TO APPLY FOR SPECIAL IDAHO CAPITOL COMMISSION PLATES IN LIEU OF REGULAR LICENSE PLATES TO DECEMBER 31, 2012, AND TO EXTEND THE DATE AFTER WHICH THE DEPARTMENT SHALL NOT ISSUE NEW CAPITOL COMMISSION PLATES TO JANUARY 1, 2013.

S 1181 BY FINANCE COMMITTEE AN ACT

APPROPRIATING MONEYS FOR COMMUNITY COLLEGE SUPPORT FOR FISCAL YEAR 2006; AND EXPRESSING LEGISLATIVE INTENT IN REGARD TO ALLOCATION OF GENERAL FUNDS.

S 1179, **S 1180**, and **S 1181** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 50, as amended in the Senate, by Health and Welfare Committee, was read the first time at length and filed for second reading.

H 122, as amended in the Senate, by Business Committee, was read the first time at length and filed for second reading.

S 1154, as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

S 1086, as amended, by Health and Welfare Committee, was read the first time at length and filed for second reading.

S 1136, as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

S 1130, as amended, by Transportation Committee, was read the first time at length and filed for second reading.

S 1044, as amended, by Schroeder, was read the first time at length and filed for second reading.

S 1161, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

H 278, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 222 and **H 224**, by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

HCR 16, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

H 230, by State Affairs Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 191 and **H 192**, by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

HCR 12, by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

H 54, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 231, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Senators Burkett and Malepeai were recorded present at this order of business.

H 111, H 112, H 113, H 114, H 115, 116, H 117, H 118, and H 119, by Business Committee, were read the second time at length and filed for third reading.

H 102, H 146, and H 147, by Transportation and Defense Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 262 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Werk. Total - 32.

NAYS--None.

Absent and excused--Noble, Sweet, Williams. Total - 3.

Total - 35.

Whereupon the President declared **H 262** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **S 1121**, having been held, retained its place on the Third Reading Calendar for Thursday, March 10, 2005.

S 1017 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schroeder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Burkett, Coiner, Compton, Darrington, Gannon, Kelly, Keough, Langhorst, Malepeai, Schroeder, Stegner, Stennett, Werk. Total - 14.

NAYS--Brandt, Broadsword, Bunderson, Burtenshaw, Cameron, Corder, Davis, Geddes, Goedde, Hill, Jorgenson, Little, Lodge, McGee, McKenzie, Noble, Pearce, Richardson, Sweet. Total - 19.

Absent and excused--Marley, Williams. Total - 2.

Total - 35.

Whereupon the President declared that **S 1017** had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

S 1129 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Langhorst arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Noble, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk. Total - 33.

NAYS--None.

Absent and excused--Pearce, Williams. Total - 2.

Total - 35.

Whereupon the President declared **S 1129** passed, title was approved, and the bill ordered transmitted to the House.

S 1131 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Coiner, Compton, Corder, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk. Total - 29.

NAYS--Cameron, Darrington, Davis. Total - 3.

Absent and excused--Noble, Pearce, Williams. Total - 3.

Total - 35.

Whereupon the President declared **S 1131** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Little, granted by unanimous consent, **S 1169** retained its place on the Third Reading Calendar for one legislative day.

H 45, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McGee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk. Total - 32.

NAYS--None.

Absent and excused--Noble, Pearce, Williams. Total - 3.

Total - 35.

Whereupon the President declared **H 45** passed, title was approved, and the bill ordered returned to the House.

H 41 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McGee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk. Total - 32.

NAYS--None.

Absent and excused--Noble, Pearce, Williams. Total - 3.

Total - 35.

Whereupon the President declared **H 41** passed, title was approved, and the bill ordered returned to the House.

H 121 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Keough, Little, Lodge, McGee, McKenzie, Noble, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet. Total - 29.

NAYS--Kelly, Langhorst, Malepeai, Marley, Werk. Total - 5.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 121** passed, title was approved, and the bill ordered returned to the House.

H 62 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Noble, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 62** passed, title was approved, and the bill ordered returned to the House.

H 34 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Corder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Noble, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 34** passed, title was approved, and the bill ordered returned to the House.

The President called Senator Stegner to the Chair.

H 170 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Noble, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the Acting President declared **H 170** passed, title was approved, and the bill ordered returned to the House.

H 78 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sweet arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Noble, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the Acting President declared **H 78** passed, title was approved, and the bill ordered returned to the House.

H 79 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Noble, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the Acting President declared **H 79** passed, title was approved, and the bill ordered returned to the House.

H 80 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Jorgenson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Noble, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the Acting President declared **H 80** passed, title was approved, and the bill ordered returned to the House.

H 81 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Noble, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the Acting President declared **H 81** passed, title was approved, and the bill ordered returned to the House.

The President returned to the Chair.

H 82 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Noble, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 82** passed, title was approved, and the bill ordered returned to the House.

H 131 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Noble, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 131** passed, title was approved, and the bill ordered returned to the House.

H 176 was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Bunderson and Broadsword and President Pro Tempore Geddes arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by President Pro Tempore Geddes, granted by unanimous consent, the following clerical correction was made to **H 176**, pursuant to Senate Rule 9(F) :

On page 2, line 13 of the bill, insert the number "1" within the parenthesis.

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Noble, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk. Total - 34.

NAYS--None.

Absent and excused--Williams. Total - 1.

Total - 35.

Whereupon the President declared **H 176** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Andreason, granted by unanimous consent, **H 111, H 112, H 114, H 115, H 116, H 117, H 118, and H 119** were placed on the Consent Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:05 p.m. until the hour of 10 a.m., Tuesday, March 8, 2005.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary